

Prob 12B

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

**PETITION TO MODIFY THE CONDITIONS OR TERM OF SUPERVISION
WITH CONSENT OF THE OFFENDER**

(Probation Form 49, Waiver of Hearing, is on file)

Offender Name: Selena A. BROWN

Docket Number: 1:05CR00141-001 AWI

Offender Address: Bakersfield, California

Judicial Officer: Honorable Anthony W. Ishii
United States District Judge
Fresno, California

Original Sentence Date: 02/13/2006

Original Offense: Counts 1 & 2: 18 USC 287 - False Claims to an Agency
of the United States
(CLASS D FELONIES)

Original Sentence: 5 months Bureau of Prisons on Cts. 1 and 2 to be
served concurrently; 36 months supervised release;
\$200 special assessment; mandatory drug testing

Special Conditions: Warrantless search; Financial disclosure; Financial
restrictions; Substance abuse counseling/testing;
5 months Home Detention; \$25 per month co-payment
for treatment services; DNA testing

Type of Supervision: Supervised Release

Supervision Commenced: 08/16/2006

Assistant U.S. Attorney: Stanley A. Boone **Telephone:** (559) 497-4042

Defense Attorney: Ann Voris **Telephone:** (559) 487-5561

Other Court Action:

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10/20/2006:

Probation 12B Modification submitted to notify the Court of the releasee's 1) Use of a Controlled Substance; 2) Failure to Report for Urinalysis Testing; 3) Failure to Report for Counseling; and 4) Failure to Report for a Scheduled Appointment with her Probation Officer. A recommendation was submitted for the releasee to participate in the Turning Point, Residential Community Center for a period not to exceed 111 days. On October 24, 2006, your Honor approved the recommended intervention plan.

PETITIONING THE COURT

To modify the conditions of supervision as follows:

The defendant shall reside and participate in a residential community correctional center, Turning Point for a period of 180 days; said placement shall commence as directed by the probation officer pursuant to 18 USC 3563(b)(11). The defendant shall pay cost of confinement as determined by the Bureau of Prisons.

Justification: On March 3, 2008, the undersigned officer conducted an unscheduled home contact at the releasee's last reported address, 1119 Murdock Street, Bakersfield, California. The occupant of the residence, Ms. Alexander, advised that Ms. Brown was no longer living at the residence and left no forwarding address. The undersigned officer provided Ms. Alexander with a business card and requested that in the event she had contact with Ms. Brown to please advise her to contact the probation officer.

On March 6, 2008, Ms. Brown reported to the U. S. Probation Office for a scheduled appointment in reference to her failure to report monthly, failure to pay restitution and failure to report change address. Ms. Brown stated that on December 24, 2008, she gave birth to a still born son and was emotionally distraught. Ms. Brown admitted she failed to maintain compliance with her supervised release in that she failed to report monthly, failed

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to pay her restitution and moved from her last reported address. According to Ms. Brown, she relapsed with cocaine in an effort to address the pain she experienced from the loss of her child. Ms. Brown stated she last used cocaine on March 4, 2008. The undersigned officer counseled with Ms. Brown and reviewed a Waiver of Hearing form, whereby Ms. Brown would participate in the Turning Point, Residential Community Corrections Center for a period of 180 days. Ms. Brown agreed to participate in the program and signed and dated the waiver form.

On March 7, 2008, the undersigned officer contacted Ms. Gina Chevalier, Federal counselor at the Turning Point, Residential Community Corrections Center. Ms. Chevalier confirmed the program would accept Ms. Brown as a public law commitment.

It is respectfully recommended the Court modify the conditions of Ms. Brown's supervised release to allow her an opportunity to participate in the Turning Point, Residential Community Corrections Center in order to regain stability within the community. While participating in the treatment center, Ms. Brown will be required to participate in substance abuse counseling, random urinalysis testing and after demonstrating stability within the facility, begin seeking employment within the community.

Respectfully submitted,

/s/ Lonnie E. Stockton

LONNIE E. STOCKTON
United States Probation Officer
Telephone: (661) 861-4124

DATED: March 7, 2008
Bakersfield, California
TAB:ks

REVIEWED BY: /s/ Rick C. Louviere
RICK C. LOUVIERE
Supervising United States Probation Officer

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THE COURT ORDERS:

- (**X**) Modification approved as recommended.
- () Modification not approved at this time. Probation Officer to contact Court.
- () Other:

IT IS SO ORDERED.

Dated: March 10, 2008

/s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE